

JUL 19 2007

Appl. No. 10/506,621  
Amdt. Dated July 19, 2007  
Reply to Office Action of April 19, 2007

**REMARKS**

Applicants thank the Examiner for acknowledging receipt of foreign priority document, Japanese Application No. JP2002-060694, that has been submitted pursuant to 35 U.S.C. § 119 and/or PCT Rule 17.2(a).

As noted below, Applicants have amended the Specification in order to correct the mis-spelling of the term "frame," to amend the Abstract consistent with the Rules, and to provide a new and more meaningful Title. No new matter has been added.

New claims 9 - 18 have been added in order to alternately define the invention as disclosed in the specification.

Without conceding the propriety of the Examiner's position, and solely to expedite prosecution, claim 4 has been cancelled without prejudice or disclaimer.

As requested by the Examiner, Applicants have attached a new Abstract that "sufficiently assists readers in deciding whether there is a need for consulting the full patent text for details" in less than 150 words. The enclosed amendment is 112 words.

Applicants note that the Title has been amended to "BATTERY DEVICE ENCLOSURE INCORPORATING A FRAME, TOP COVER, AND BOTTOM COVER."

Applicants respectfully request reconsideration of the Examiner's rejection of claims 1 - 8 under 35 U.S.C. §102. The Examiner has alternately rejected these claims in view of the cited prior art references of *Zedell, Jr. et al.* (U.S. Patent No. 6,068,946) or *Konishi et al.* (EP 1033766).

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Applicants submit that neither reference, alone or in combination, discloses Applicant's currently claimed invention. Specifically, Applicants note that independent claim 1 has been amended to require a frame, a first lid, and a second lid, wherein the frame is comprised of a structure defining an opening for a battery, and having open upper and lower surfaces. Furthermore, the frame comprises fixing means forming on an inner periphery for securing both the first and second lids such that the first fixing means and the second fixing means are offset from one another in a lateral direction of the frame (See Fig. 1 of the disclosure).

Neither the cited Zedell, Jr. reference nor the cited Konishi reference, alone or in combination, disclose such an invention. The lower lid 40 of Zedell, for example, simply lays in the frame and is supported by the shelves 80. Regarding the Konishi reference, the paragraph cited by the Examiner (paragraph [0035]) discloses a bonding process to attach the upper lid 1 to the lower lid 2b. Accordingly, not only does the reference fail to disclose a separate frame structure, but fails to disclose a fixing means formed on the inner surface of the frame for interfacing with the upper and lower lids.

For at least these reasons, Applicants submit that the Examiner's rejections under 35 U.S.C. §102 should be withdrawn, and claims 1 - 8 placed into condition for allowance.

The Examiner's remaining references cited but not relied upon, considered either alone or in combination, also fail to teach applicant's currently claimed

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invention. In light of the foregoing, Applicants respectfully submit that all claims now stand in condition for allowance.

In the event that it is deemed necessary, the Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-3891.

Respectfully submitted,

Date: 7/19/07

(Reg. #37,607)

  
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